

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re	Chapter 11
Lordstown Motors Corp., <i>et al.</i> ¹	Case No. 23-10831 (MFW)
Debtors.	(Jointly Administered)
	Re: D.I. 8, 57, 66

CERTIFICATION OF COUNSEL REGARDING “FINAL ORDER (A) AUTHORIZING, BUT NOT DIRECTING, THE DEBTORS TO (I) CONTINUE USE OF EXISTING CASH MANAGEMENT SYSTEM, BANK ACCOUNTS, AND BUSINESS FORMS, (II) PAY RELATED PREPETITION OBLIGATIONS, AND (III) CONTINUE INTERCOMPANY TRANSACTIONS; (B) WAIVING THE SECTION 345(b) DEPOSIT AND INVESTMENT REQUIREMENTS; AND (C) GRANTING OTHER RELATED RELIEF”

The undersigned hereby certifies as follows:

1. On June 27, 2023, the debtors and debtors in possession in the above-captioned cases (collectively, the “**Debtors**”), filed the *Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing, But Not Directing, the Debtors to (I) Continue Use of Existing Cash Management System, Bank Accounts, and Business Forms, (II) Pay Related Prepetition Obligations, and (III) Continue Intercompany Transactions; (B) Waiving the Section 345(b) Deposit and Investment Requirements; and (C) Granting Other Related Relief* [D.I. 8] (the “**Motion**”) with the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801 (the “**Bankruptcy Court**”).

2. Following an initial hearing to consider the Motion, on June 28, 2023, the Bankruptcy Court entered the *Interim Order (A) Authorizing, But Not Directing, the Debtors to*

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

(I) Continue Use of Existing Cash Management System, Bank Accounts, and Business Forms, (II) Pay Related Prepetition Obligations, and (III) Continue Intercompany Transactions; (B) Waiving the Section 345(b) Deposit and Investment Requirements; and (C) Granting Other Related Relief [D.I. 57].

3. Pursuant to the *Notice of Entry of “Interim Order (A) Authorizing, But Not Directing, the Debtors to (I) Continue Use of Existing Cash Management System, Bank Accounts, and Business Forms, (II) Pay Related Prepetition Obligations, and (III) Continue Intercompany Transactions; (B) Waiving the Section 345(b) Deposit and Investment Requirements; and (C) Granting Other Related Relief” and Final Hearing Thereon*, dated June 28, 2023 [D.I. 66] (the “**Notice of Entry of Interim Order**”), responses to the final relief requested in connection with the Motion were to be filed no later than 4:00 p.m. (Eastern Daylight Time) on July 20, 2023 (the “**Objection Deadline**”²). A hearing to consider the final relief requested in connection with the Motion is currently scheduled to take place before the Bankruptcy Court on July 27, 2023 starting at 9:30 a.m. (Eastern Daylight Time).

4. Prior to the Objection Deadline, JPMorgan Chase Bank, N.A. (“**JPMC**”) provided informal comments to the Motion (the “**Informal Response**”).

5. Other than the Informal Response, as of the date hereof, the Debtors have not received any other responses or objections in connection with the final relief requested in connection with the Motion, nor do any objections thereto appear on the Bankruptcy Court’s docket in the Debtors’ chapter 11 cases. To fully resolve the Informal Response, the Debtors have prepared a revised form of final order (the “**Revised Final Order**”) in connection with the

² The Debtors agreed to extend the Objection Deadline for the Official Committee of Unsecured Creditors (the “**Creditors’ Committee**”) only until 11:00 a.m. (Eastern Daylight Time) on July 24, 2023. The Creditors’ Committee did not file an objection to the final relief requested in connection with the Motion by the Objection Deadline, as extended for it.

Motion. The Revised Final Order also contains an additional revision made by the Debtors that they determined is appropriate under the circumstances. A copy of the Revised Final Order is attached hereto as **Exhibit A**. A redline, comparing the Revised Final Order against the form of final order originally filed along with the Motion is attached hereto as **Exhibit B**.

6. The Revised Final Order has been circulated to (i) the Debtors; (ii) the Office of the United States Trustee for the District of Delaware; (iii) proposed counsel to the Creditors' Committee; and (iv) JPMC, and each of the parties to whom the Revised Final Order was circulated has indicated that it has no objection to the entry of the Revised Final Order.

7. The Debtors therefore respectfully request that the Bankruptcy Court enter the Revised Final Order, substantially in the form attached hereto as **Exhibit A**, at its earliest convenience.

[Remainder of page intentionally left blank.]

Dated: July 25, 2023

Respectfully submitted,

/s/ Jason M. Madron

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